



**REPUBLIC OF KENYA**

**IN THE ENVIRONMENT AND LAND COURT AT MERU**

**ELC LAND CASE NO. E021 OF 2024**

**BENSON MIRITI MAGIRI .....1ST**

**PLAINTIFF**

**FRANCIS MWIRARIA M'MAGIRI.....2ND**

**PLAINTIFF**

**GLADYS MPINGA MAGIRI.....3RD**

**PLAINTIFF**

**=VERSUS=**

**SIMON M'MAGIRI M'TWERANDU *alias*  
M'MAGIRI M'TWERANDU .....1ST  
DEFENDANT**

**JUDITHI KARUTHU MAGIRI.....2ND  
DEFENDANT**

**MIRITI FRANK MBAYA.....3RD  
DEFENDANT**

**KAAI BUNDI JAMES.....4TH  
DEFENDANT**

**KENYA ASSEMBLIES OF GOD CHURCH -  
KITHIMA (*Sued through Chairman, Secretary &  
Treasurer*).....5TH  
DEFENDANT**

**THE LAND REGISTRAR - MERU CENTRAL.....6TH  
DEFENDANT**

**THE HON ATTORNEY GENERAL.....7TH  
DEFENDANT**

**RULING**  
**(EX-TEMPORE)**

1. Before court for consideration is the plaintiffs' notice of motion dated 27/3/2026, through which they seek an order substituting **Frank Miriti Mbaya** in place of **Simon M'Magiri M'Twerandu** who is said to have died on 10/6/2025. The application is unopposed. The court has looked at the exhibited death certificate and the limited grant.
2. In the absence of any opposition to the application, the same is allowed in terms of prayer 1. The plaint shall be amended and the amended plaint shall be filed and served within 14 days.

**DATED, SIGNED AND DELIVERED AT MERU THIS 29TH DAY  
OF APRIL, 2026.**

**B M EBOSO [MR]**  
**JUDGE**

**In Presence of**

Mr. Mwanzia for the plaintiff.

1st - 4th Defendants - Absent

Mr Harun Gitonga Advocate for the 5th Defendant

Ms E. Wairimu for the 6th and 7th Defendants.

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